

2003 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB42)

Received: **02/13/2003**

Received By: **rnelson2**

Wanted: **Soon**

Identical to LRB:

For: **Terry Musser (608) 266-7461**

By/Representing: **Pam Shannon**

This file may be shown to any legislator: **NO**

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Veterans - veterans benefits**

Extra Copies: **Pam Shannon, LC (by e-mail)**

Submit via email: **YES**

Requester's email: **Rep.Musser@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Eligibility for burial at a vets. cemetery

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/1	rnelson2 02/13/2003	wjackson 02/13/2003	rschluet 02/13/2003	_____	sbasford 02/13/2003	sbasford 02/13/2003	

FE Sent For:

<END>

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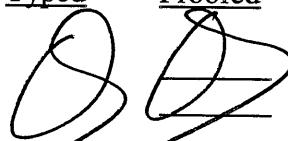
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rnelson2

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FE Sent For:

2-13-3

<END>

ASA 2 to AB 42:

From Rep. Steward

(Amend or) Repeal and recreate 45.358 (3) (f) to read:

(3)(f) A person who was a resident of this state at the time of entry or reentry into service in the Wisconsin ~~army~~ national guard or air national guard; the national guard of another state, or a reserve component of the U.S. armed forces, or who lived in Wisconsin for at least 12 consecutive months immediately preceding his or her death, and the person's spouse, surviving spouse, and dependent children, in any of the following circumstances: *if the*

1. ~~The person has 20 or more years of creditable military service for retirement pay as a member of the national guard of Wisconsin or another state or who would have been entitled to that retirement pay except that the person was under 60 years of age at the time of his or her death.~~

2. The person is eligible for retirement pay from a reserve component of the U.S. armed forces or who would have been entitled to that retirement pay except that the person was under 60 at the time of his or her death.

Question—should 20 years be mentioned instead of or in addition to “eligible for retirement pay” to clarify that it’s consistent with the guard requirement?

3. The person has 20 or more years of creditable military service from a combination of service under subds. 1. and 2.

Question—Reps. Musser and Pettis want to be sure it's ^{clear} that active service also counts in any mix of service totaling 20 years, but I'm not sure how to accomplish that, since it only takes 180 days of active service to qualify for burial, completely separately from this provision and we wouldn't want to make it seem as if any more than that number of days was required.

person is el. for burial in a natl. cem. under 38 USC 2402

→ In state

Suggestion by Truitt Steward, DVA



2/14 PM
State of Wisconsin
2003 - 2004 LEGISLATURE

LRBs0011/1
RPN: /:....
WLj

ASSEMBLY SUBSTITUTE AMENDMENT ,
TO 2003 ASSEMBLY BILL 42

GEN

1 AN ACT ...; relating to: eligibility for burial at a veterans cemetery.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 45.358 (3) (f) of the statutes is amended to read:

3 45.358 (3) (f) A person who was a resident of this state at the time of his or her
4 entry or reentry into service in the ~~Wisconsin army national guard or air~~ any national
5 guard or in a reserve component of the U.S. armed forces or ~~at the time of who was~~
6 a resident of this state for at least 12 consecutive months immediately preceding his
7 or her death and ~~who has 20 or more years of creditable military service for~~
8 ~~retirement pay as a member of the Wisconsin army national guard or air national~~
9 ~~guard or a reserve component of the U.S. armed forces or who would have been~~
10 ~~entitled to that retirement pay except that the person was under 60 years of age at~~

1 the time of his or her death, and the person's spouse, surviving spouse and dependent
2 children, if the person is eligible for burial in a national cemetery under 38 USC 2402.

History: 1993 a. 296; 1995 a. 27, 255; 1997 a. 27; 1999 a. 9; 2001 a. 103, 109.

(END)